



COMPTROLLER

UNDER SECRETARY OF DEFENSE
1100 DEFENSE PENTAGON
WASHINGTON, DC 20301-1100

DEC 16 2004

The President
The White House
Washington, DC 20500

Dear Mr. President:

This letter is to report violations of the Antideficiency Act as required by Title 31, United States Code, subsections 1351 and 1517(b), by the Department of the Navy, case number 02-03.

The violations, which total \$157,640, occurred in the fiscal years 1999 and 2000. The violation occurred when personnel at the Pacific Missile Range Facility, Kauai, Hawaii, improperly used funds for family housing improvements. There was an overall violation of Title 31, United States Code 1341(a)(1)(A) for non-compliance with the congressional notification and wait requirement. Violations of 1517(a) resulted when Operation and Maintenance, Navy funds, Family Housing Operation and Maintenance, Navy and Marine Corps funds, and Family Housing Construction, Navy and Marine Corps funds that were not available were used for these improvements.

Enclosed is a report from the Assistant Secretary of the Navy (Financial Management and Comptroller). The following individuals were named responsible for the violation.

CAPT Brian Moss, USN (Retired), Commanding Officer,
Pacific Missile Range Facility, Kauai, Hawaii
CDR John Barfoot, USN, Executive Officer,
Pacific Missile Range Facility, Kauai, Hawaii
LT Martin Harrison, CEC, USN, Public Works Officer/Assistant Public Works Officer
Mr. Leland Tottori, Assistant Public Works Officer/Public Works Officer
Ms. Charlene Castor, Housing Manager
Ms. Jane Ozaki, Budget Analyst/Commander, Navy Region Hawaii, Hawaii Storefront

The Navy concluded there was no knowing or willful violation of the Antideficiency Act by the individuals named responsible for it. All individuals except one who had retired were disciplined.

The congressional notification violations of Title 31, United States Code, subsections 1341(a)(1)(A) were corrected after the fact on July 28, 2003. The violations of Title 31, United States Code 1517(a) were uncorrectable, as properly chargeable funds were not available at the activity.

Identical reports are being submitted to the President of the Senate and the Speaker of the House of Representatives.

Respectfully yours,

Tina W. Jonas

Enclosure:
As stated



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DEC 16 2004

The Honorable Richard B. Cheney
United States Senate
Washington, DC 20510

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Identical reports are being submitted to the President and the Speaker of the House of Representatives.

Sincerely,

Tina W. Jonas

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DEC 16 2004

The Honorable J. Dennis Hastert
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Speaker:

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Sincerely,

Tina W. Jonas

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